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June 17, 2010

*Via Electronic Filing*

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street SW  
Washington, DC 20554

Re: WT Docket No. 06-150, PS Docket No. 06-229, and GN Docket No. 09-51  
*Ex Parte* Notice

Dear Ms. Dortch:

Transmitted herewith for filing in the above-referenced dockets is a statement released today by the Coalition for 4G in America. The Coalition for 4G in America is made up of Sprint Nextel Corporation, T-Mobile USA, Inc., Metro PCS Communications, Inc., Cellular South, Inc., Clearwire Corporation, Rural Cellular Association, Rural Telecommunications Group, Inc., Xanadoo Company, and Access Spectrum, LLC.

Sincerely,

/s/ Charles W. Logan  
Charles W. Logan  
*Counsel to Access Spectrum, LLC*

Attachment

Marlene H. Dortch  
June 17, 2010  
Page 2 of 2

cc: James A. Barnett, Jr.  
Stuart Benjamin  
Jeff Cohen  
Paul de Sa  
Monica Desai  
David Furth  
Angela E. Giancarlo  
John Giusti  
Terri Glaze  
Bruce Liang Gottlieb  
Evan R. Kwerel  
John Leibovitz  
Jennifer Manner  
Charles Mathias  
Ruth Milkman  
Paul Murray  
Louis Peraertz  
James D. Schlichting  
Walter D. Strack  
Joel D. Taubenblatt  
Peter Trachtenberg  
Margaret W. Wiener

June 17, 2010

## **COALITION FOR 4G IN AMERICA**

### ***Public Safety Needs Adequate Funding, Not More Spectrum, As Even AT&T and Verizon Wireless Have Recognized***

#### ***The Coalition for 4G in America agrees that Public Safety needs a Nationwide Broadband Communications Network and that Congress can help provide the necessary funding***

*The Coalition for 4G in America is comprised of wireless carriers that are firmly committed to providing consumers with competitive, innovative wireless broadband services and assisting Public Safety in gaining access to next-generation, ubiquitous, interoperable wireless broadband communications.*

*To this end, the Coalition for 4G supports federal legislation, as set forth in the staff discussion draft of the Public Safety Broadband Act of 2010, to designate the proceeds from the Congressionally-mandated auction of the D Block spectrum, as well as proceeds from other spectrum auctions, to provide network infrastructure and operational funding to the Public Safety community.*

*The Federal Communications Commission has found that by leveraging commercial technologies and services, Public Safety can greatly reduce the cost of deploying and operating a nationwide, interoperable broadband public safety network. By reducing these costs, and adopting legislation to use auction revenues to fund the costs of constructing and operating an interoperable wireless broadband Public Safety network, obstacles that have delayed its deployment for years will finally be removed. And the FCC's newly released white paper on capacity only underscores how Public Safety's needs are well served by the FCC's plan.*

*To ensure Public Safety has the communications capabilities it needs:*

- Congress must require that proceeds from the D Block and other spectrum auctions be used to fund a portion of public safety communications needs.*
- The FCC must be allowed to proceed with the D Block auction for commercial purposes as required under existing telecommunications law.*

*Doing otherwise will be anti-competitive and will further delay achieving vital public safety objectives.*

#### ***We agree with AT&T and Verizon Wireless's prior statements that Public Safety currently has sufficient spectrum to meet its broadband needs***

*The FCC's plan to proceed with a D Block auction is based on an unprecedented amount of detailed analysis. AT&T and Verizon Wireless, the nation's two largest wireless carriers and two of the leading opponents of the FCC's plan, were the winners of the vast majority of the spectrum in the last 700 MHz auction, acquiring 85 percent of the value of the 700 MHz spectrum. With the licenses acquired at the auction or through private market transactions, AT&T and Verizon Wireless control 92% of the 700 MHz spectrum suitable for commercial mobile broadband use in the top 54 most populous U.S. markets, and 100% of the 700 MHz spectrum suitable for commercial mobile broadband use in the top 10 markets.*

*With these large 700 MHz spectrum holdings, AT&T and Verizon Wireless have changed course and are attempting to freeze out competitors from the 700 MHz spectrum. In particular, AT&T and Verizon Wireless now support reallocating the D Block to Public Safety in an attempt to limit the amount of spectrum available for competing commercial providers. Yet, a few years ago – before winning much of the 700 MHz spectrum in the last auction – these same carriers made numerous filings stating that Public Safety has more than adequate spectrum:*

*“Approximately 100 MHz of spectrum has already been allocated for use by state and local public safety agencies to serve approximately 3 million first responders nationwide. Recent studies demonstrate that this allocation should be more than sufficient to satisfy all public safety communications needs. . . . [T]here is no evidence that the existing public safety allocation (nearly 100 MHz of spectrum) is insufficient to satisfy demand for a nationwide, broadband, interoperable wireless network. The problem is that the existing allocation is not used in an efficient, integrated manner.” AT&T Comments, PS Docket No. 06-229, at 7-8 (Feb. 26, 2007)*

*"With regard to broadband capabilities, Verizon Wireless [has] demonstrated how a dedicated public safety broadband network could be built on 10 MHz of spectrum in the 700 MHz band that Congress has allocated for public safety's use." Verizon Wireless ex parte submission, PS Docket No. 06-229, at 1-2 (April 4, 2007)*

*Members of the Coalition for 4G in America support Public Safety and therefore support legislation that gives Public Safety flexibility to use the current Public Safety narrowband and guard band spectrum to meet its needs for broadband service as technology evolves. To further the competitive benefits and economies of scale created by allowing flexible use of the Public Safety and guard band spectrum, the 4G Coalition also supports interoperability throughout the 700 MHz band.*

*The FCC should move forward with an auction of the D Block by early 2011 - with the auction revenues dedicated to help fund a Public Safety interoperable broadband network. This would not only allow the unsung Public Safety heroes to save lives and property, but also benefit consumers by promoting competition in the provision of wireless broadband services.*

#### ***The Coalition for 4G in America***

***Sprint Nextel Corporation***

***T-Mobile USA, Inc.***

***Metro PCS Communications, Inc.***

***Cellular South, Inc.***

***Rural Cellular Association***

***Rural Telecommunications Group, Inc.***

***Clearwire Corporation***

***Access Spectrum, LLC***

***Xanadoo Company***